

-1-

Case No. 3:05-cv-2303  
Gwin, J.

Baughman for a Report and Recommendation. [Doc. [8](#).] On March 31, 2006, the Respondent filed a return of writ. [Doc. [11](#).] Petitioner Amin filed a traverse to the return of writ on June 21, 2006. [Doc. [16](#).]

On February 12, 2008, Magistrate Judge Baughman recommended that this Court dismiss in part and deny in part the Petitioner's habeas petition. [Doc. [17](#).] On February 26, 2008, the Petitioner moved this Court to grant him an extension of time in which to file objections to the Magistrate's report. [Doc. [18](#).] On May 19, 2008, this Court granted in part the Petitioner's motion for an extension of time. [Doc. [20](#).] The Court ordered the Petitioner to file any objections to the Report and Recommendation by July 19, 2008. *Id.* The Petitioner has not objected to the Magistrate's Report and Recommendation.

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)](#). Parties must file any objections to a Report and Recommendation within ten days of service. *Id.* Failure to object within that time waives a party's right to appeal the magistrate judge's recommendation. See [Fed. R. Civ. P. 72\(a\)](#); [Thomas v. Arn, 474 U.S. 140, 145 \(1985\)](#); [United States v. Walters, 638 F.2d 947 \(6th Cir. 1981\)](#). Absent objection, a district court may adopt the magistrate's report without review. [Thomas, 474 U.S. at 149](#).

Moreover, having conducted its own review of the filings, facts, and findings in the case, the Court agrees with the conclusions of Magistrate Judge Baughman. Accordingly, the Court adopts the Report and Recommendation as its own, and incorporates the Magistrate Judge's findings of fact and conclusions of law fully herein by reference.

For these reasons, the Court **ADOPTS** the Magistrate's Report and Recommendation, and

Case No. 3:05-cv-2303  
Gwin, J.

**DISMISSES** in part and **DENIES** in part the Petitioner's application for writ of habeas corpus.

IT IS SO ORDERED.

Dated: July 29, 2008

s/ *James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE